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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/664,300	09/18/2000	Stephane Herman Maes	YO999-380	3906

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EXAMINER	
WINDER, PATRICE L	

ART UNIT	PAPER NUMBER
2145	

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/664,300	MAES ET AL.	
	Examiner	Art Unit	
	Patrice Winder	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 October 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12,28,30-32 and 50* is/are pending in the application.

4a) Of the above claim(s) *13-27,29,33-49,51-53* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12,28,30-32 and 50* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of the invention in the reply filed on October 1, 2004 is acknowledged. The traversal is on the ground(s) that the "claims 45 and 48 do not expressly recite mark-up language based content". This is not found persuasive because applicant has not argued that limitations recited in the body of either claim are not appropriate where grouped.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code 102 not included in this action can be found in a prior Office action.

3. Claims 30-32 and 50 are rejected under 35 U.S.C. 102(b) as being anticipated by Mauldin et al., USPN 5,664,227 (hereafter referred to Mauldin).

4. Regarding claim 30, taught a method of processing an information signal containing content presented in accordance with at least two modalities, the method comprising the steps of:

obtaining the information signal (column 4, lines 35-38);

separating the information signal into a first signal including information in one of the two modalities and a second signal including information in the other of the two modalities (column 4, lines 35-38);

performing content detection on the first signal to detect whether the first signal includes particular content presented in accordance with the one modality (column 5, lines 17-22);

performing content detection on the second signal to detect whether the second signal includes particular content presented in accordance with the other modality (column 7, lines 24-36);

combining the results associated with the content detection steps (column 8, lines 32-34); and

generating a control signal, when the particular content is detected in accordance with at least one of the content detection steps, for use in controlling at least one of a rendering property of the particular content and implementation of a specific action relating to the particular content (column 8, lines 32-34, 49-58).

5. Regarding dependent claim 31, Mauldin taught the two modalities are audio and video (column 4, lines 35-38).

6. Regarding dependent claim 32, Mauldin taught the content detection step performed on the video signal is optical character recognition (column 5, lines 26-30) and the content detection step performed on the audio signal is speech recognition (column 7, lines 58-65).

7. The language of claim 50 is substantially the same as previously rejected claims 30-32. Therefore, Claim 50 is rejected on the same rationale as previously rejected claims 30-32.

8. Claims 1-12 and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by

Hejna, Jr. , USPN 6,374,225 B1 (hereafter referred to as Hejna).

9. Regarding claim 1, Hejna taught a method of processing an information signal containing content presented in accordance with at least one modality (abstract), the method comprising the steps of:

obtaining the information signal (column 16, lines 14-17);

performing content detection on the information signal to detect whether the information signal includes particular content presented in accordance with the at least one modality (column 16, lines 22-45);

generating a control signal, when the particular content is detected, for use in controlling at least one of a rendering property of the particular content and implementation of a specific action relating to the particular content (column 17, lines 16-31).

10. Regarding dependent claim 2, Hejna taught the at least one modality in which the content in the information signal is presented is audio-based (column 16, lines 21-25).

11. Regarding dependent claim 3, Hejna taught the at least one modality in which the content in the information signal is presented is video-based (column 16, lines 21-25).

12. Regarding dependent claim 4, Hejna taught the at least one modality in which the content in the information signal is presented is audio-based and video-based (column 16, lines 21-25).

13. Regarding dependent claim 5, Hejna taught the controlled rendering property is a presentation speed of the particular content (column 17, lines 37-42).

14. Regarding dependent claim 6, Hejna taught the presentation speed is controlled in accordance with detection of specific content classes in the information signal (column 17, lines 5-15).

15. Regarding dependent claim 7, Hejna taught a specific content class comprises one of numbers, names and addresses (column 18, lines 18-25).

16. Regarding dependent claim 8, Hejna taught the presentation speed of the particular content is at least one of slowed down and sped up (column 15, lines 45-55).

17. Regarding dependent claim 9, Hejna taught the presentation speed of the particular content is slowed down from an initial sped-up presentation speed (column 15, lines 45-55).

18. Regarding dependent claim 10, Hejna taught further comprising the step of providing a user interface to control at least one of the rendering property of the particular content and the implementation of the specific action relating to the particular content (column 5, lines 17-34).

19. Regarding dependent claim 11, Hejna taught further comprising the step of marking at least a portion of the information signal in response to a user input such that the content detection step is performed on the marked portion of the information to detected whether the marked portion of the information signal includes particular content (column 13, lines 5-15).

20. Regarding dependent claim 12, Hejna taught further comprising the step of storing the particular content when detected in the information signal (data structure, column 18, lines 10-23).

21. The language of claim 28 is substantially the same as previously rejected claims 11 and 12. Therefore, claim 28 is rejected on the same rationale as claims 11 and 12.

Response to Arguments

22. Applicant's arguments filed October 1, 2004 have been fully considered but they are not persuasive.

23. Applicant argues – "However, ..., Mauldin does not 'perform content detection on the second signal [e.g. video signal] to detect whether the second signal [video signal] includes particular content presented in accordance with the other modality."

a. Applicant's claim language recites that an information signal is separated into a first signal includes information in a first modality and a second signal includes information in the other modality. Therefore, the examiner would interpret that the applicant is arguing that Maudlin does not perform "content detection" on the video signal to detect whether the video signal includes video content. The examiner disagrees.

b. The examiner has to ask video content? Applicant's claim is silent to further guidance. Therefore, the examiner would assume any "video content" would be within scope of applicant's claim. Surely the images within the video signal in question are potential "video content". Does Mauldin detect "video content" [e.g. images] from the video signal. In a word yes. (See column 5, lines 60-67).

24. Applicant argues – "However, no where does Maudlin disclose 'generating a control signal, when at least a portion of the particular content is detected in accordance with at least one of the content detection steps, for use in controlling at least one of a rendering property of the particular content'..."

c. Mauldin taught detecting particular content in the video signal by detecting whether the content of the video meets particular criteria as formulated by a specific query (column 5, lines 31-45). When video [e.g. images] which meet the detected criteria are found, a "control signal" is generated which produces and controls skimmed output while in playback [e.g. rendered] (column 8, lines 45-58). This is the very point of Maudlin's invention.

25. Applicant argues – "Also, Maudlin is silent with respect to the limitation of 'generating a control signal, when at least a portion of the particular content is detected in accordance with at least one of the content detection steps, for use in controlling at implementation of a specific action relating to the particular content'..."

d. Mauldin taught detecting particular content in the video signal by detecting whether the content of the video meets particular criteria as formulated by a specific query (column 5, lines 31-45). When video [e.g. images] which meet the detected criteria are found, a "control signal" is generated which produces and controls skimmed output while in playback [e.g. a specific action] (column 8, lines 45-58). Again, this is the very point of Maudlin's invention.

26. Applicant argues – "...Applicant's find no disclosure of OCR in Mauldin."

e. Maudlin taught the subject information extracted includes "textual information" (column 5, lines 31-36). The extract is done by image recognition, which would include OCR in the case that the images contain "textual information" (column 5, lines 60-67).

27. Applicant argues – "Also, Hejna does not disclose 'generating a control signal, when the particular content is detected, for use in controlling ... implementation of a specific action relating to the particular content'."

f. Hejna taught the "Concept Information Decoder 4800" detects particular content, see column 16, lines 22-45. This detected is content provided as input to the "TSM Concept Monitor 4400" (column 17, lines 5-15), which generates "a control signal" to perform "a specific action" based on the "Concept Information Decoder 4800" input and other inputs.

28. Applicant argues – "...Hejna does not disclose 'performing content detection on the at least a portion of the information signal to detect whether the marked portion of the information signal includes desired content presented in accordance with the at least one modality; and at least one of storing and utilizing the desired content in a subsequent application when detected in the information signal,' as required by the claimed invention."

g. Applicant's argument is merely a recitation of the claim limitations. Applicant's has not at least presented an interpretation of what applicant feels Hejna teaches. Therefore, the examiner cannot determine what is applicant's argument concerning the recited claim limitations.

Conclusion

29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrice Winder whose telephone number is 571-272-3935. The examiner can normally be reached on Monday-Friday, 10:30 am-7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 571-272-6159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patrice Winder
Primary Examiner
Art Unit 2145

March 7, 2005